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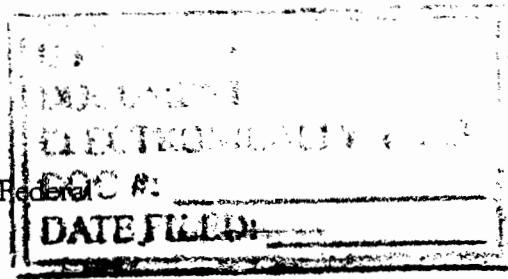
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June 24, 2010

VIA FACSIMILE

The Honorable Cathy Seibel
United States District Court
Southern District of New York
The Honorable Charles L. Brieant Jr. Federal
Building and U.S. Courthouse
300 Quarropas Street
White Plains, NY 10601-4150



Rc: *Cleotilde Rock, et al. v. Moss Codilis, LLP, et al.*
No. 10-civ-03106

Dear Judge Scibel:

I am counsel of record for the Defendants in the above-referenced case. I have been acting, however, as local counsel and will be seeking promptly the *pro hac vice* admission of Defendants' primary counsel, David J. Chizewer of Goldberg Kohn Ltd. in Chicago. In the meantime, I am writing regarding the letter dated June 7, 2010 to Your Honor from Daniel Edelman, one of Plaintiffs' counscl. Because that letter was emailed from the email address of Mr. Edelman's secretary, it was not recognized by Mr. Chizewer's email system and did not make it into Mr. Chizewer's in-box. I did not realize that Mr. Chizewer had not received the letter, and there was miscommunication between me and Mr. Chizewer regarding a response. None of Defendants' counsel was served by fax or mail with the letter or any motion for class certification. We apologize to the Court for this confusion, and for not responding to Plaintiffs' letter.



The good news is that Mr. Chizewer has been in touch with Plaintiffs' counsel, and there is an agreement among the parties regarding the June 7, 2010 letter. Defendants have indicated to Plaintiffs that Defendants do not intend to issue an offer of judgment to the individual Plaintiffs in an effort to moot this case – thereby resolving the issue of concern that prompted Plaintiffs' letter. Moreover, the parties are in the process of exchanging information in an effort to settle this case, either on an individual or class basis. Thus, the parties are in agreement that neither a motion for class certification nor related discovery needs to be filed or served at this time, and that there is no need for Plaintiffs to submit any proposed order to that effect. (To the extent the Court does not endorse this letter prior to June 25, 2010, Plaintiffs may submit a proposed order as a precaution, but do not intend that such order be entered.) If the settlement discussions are not successful, the parties will contact the Court with their respective views on what should be the next steps.

Again, we apologize for not responding sooner and appreciate Your Honor's consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "THOMAS K. RICHARDS".

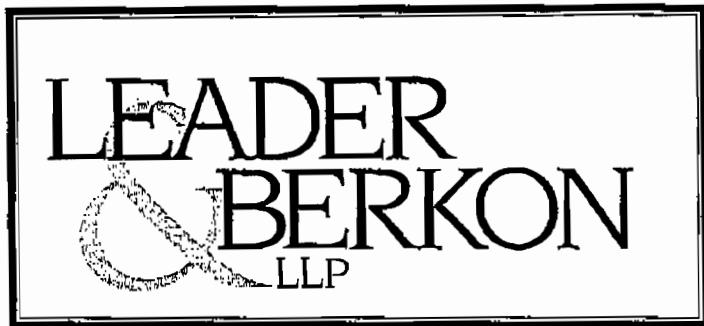
cc: Abraham Kleinman, Esq. (via email)
Cathleen M. Combs, Esq. (via email)
Daniel A. Edelman, Esq. (via email)
Cassandra P. Miller, Esq. (via email)
David J. Chizewer, Esq. (via email)

Requirement for proposed order by
6/25 vacated per parties' agreement.

SO ORDERED:
Cathy Seibel
Cathy Seibel, U.S.D.J.

Dated: 6/24/10

630 Third Avenue, New York, NY 10017
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Fax

To: The Honorable Judge Cathy Seibel

Fax: (914) 390-4278

Phone: (914) 390-4271

From: Thomas K. Richards, Esq.

Date: June 24, 2010

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